

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES WILKERSON,

Petitioner,

v.

COMMONWEALTH OF
MASSACHUSETTS and
DANIEL F. CONLEY,

Respondents.

Civil Action No. 04-11771-RGS

**RESPONDENTS' MOTION FOR AN ENLARGEMENT
OF TIME IN WHICH TO ANSWER PETITION**

The Respondents, the Commonwealth of Massachusetts and Daniel F. Conley (the "Respondents"), hereby respectfully move this Court to enlarge until December 3, 2004 the time in which they must file an answer to the petition for a writ of habeas corpus (the "Petition") filed by Petitioner Charles Wilkerson (the "Petitioner"). The Respondents' answer is currently due on November 11, 2004. In support of this Motion, the Respondents state as follows:

1. The Petition arises from a 1993 conviction upon a plea of guilty in the Dorchester Division of the Massachusetts District Court.
2. The Petition includes serious allegations and references complex areas of law.
3. Counsel for the Respondents have not yet obtained the necessary documents from the Suffolk County District Attorney's Office, which prosecuted the case

referenced above. Without such documents, counsel for the Respondents will be unable to formulate responses to each of the allegations contained in the Petition or to provide all of the supplemental information required by Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts. Moreover, counsel will need sufficient time to review those documents once they are received.


4. No previous application for an enlargement of time to file an answer or otherwise respond to the Petition has been made to this Court.

5. Allowance of this Motion will enable counsel for the Respondents to respond to the Petition and aid the Court most thoroughly and effectively and will not prejudice any party.

WHEREFORE, the Respondents request that this Court enlarge the time in which they must file an answer to the Petition until December 3, 2004.

Respectfully submitted,

THOMAS F. REILLY
Attorney General



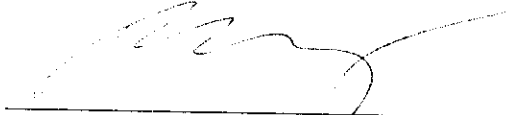
Randall E. Ravitz (BBO # 643381)
Assistant Attorney General
Criminal Bureau
One Ashburton Place
Boston, Massachusetts 02108
(617) 727-2200, ext. 2852

Dated: November 10, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on November 10, 2004 by first-class mail, postage prepaid, upon:

Charles Wilkerson (pro se)
No. 22166-038
USP
PO Box 1000
Lewisburg, PA 17837.



Randall E. Ravitz